

EXPLANATION OF PREMARITAL LAW

(Section 40-1-203, 40-1-204, 40-1-205, 40-1-206, MCA)

(Chapter No. 186 — Montana Session Laws 1989)

(Administrative Rules of Montana Title 16, Chapter 38, Subchapter 5 PREMARITAL SEROLOGICAL TESTS)

PREMARITAL TEST CERTIFICATE REQUIRED OF APPLICANTS FOR MARRIAGE LICENSE

A person who is authorized by law to issue a marriage license shall require each applicant to exhibit a birth certificate or other satisfactory evidence of age. If the applicant is a minor, the consent required by Section 40-1-213, Montana Code Annotated, shall also be presented to the issuer of the license. The applicant shall also file with him a certificate from a duly qualified physician, licensed to practice medicine in any state or United States territory, or any other person authorized by laws of Montana to make such a certificate. It shall state that the applicant has been given serological tests as may be required by law.

PROCEDURE IF EXAMINATION IS MADE IN MONTANA

1. The female applicant for a marriage license consults a physician for blood tests. If required, the physician sends a specimen of the applicant's blood to an approved laboratory.
2. After careful examination of the laboratory report, the report is exhibited to and examined by both the applicant and the other party to the proposed marriage contract. The physician will then complete the Certificate, sign it and present it to the applicant.
3. If the rubella test is not required the physician so indicates on the Certificate, signs it and presents it to the applicant.
4. Both applicants sign the Certificate at the bottom and present it with satisfactory evidence of age or if a minor, the consent required by Section 40-1-213, Montana Code Annotated, to the Clerk of the District Court who issues the marriage license.

PROCEDURE IF EXAMINATION IS MADE OUTSIDE THE STATE OF MONTANA

1. Certificate Forms and blood test forms have been forwarded to each State Health Department and are available at these sources or directly from the Montana State Department of Health and Environmental Sciences, Helena, Montana.
2. The applicant may consult any duly licensed physician in any State or Territory or Canadian Province for the examination.
3. Blood tests made outside the state must be done in approved laboratories which include State and Territorial Health Department laboratories and laboratories within their jurisdictions approved by them, U.S. Public Health Service laboratories, laboratories operated by the U.S. Armed Forces and Veteran's Administration, Provincial Public Health Laboratories of Canada, and laboratories licensed under the provisions of the Clinical Laboratories Improvement Act of 1988.
4. Certificate Forms provided by other states having comparable laws will be accepted for persons who have received serological tests outside of Montana.

STATE OF MONTANA — PREMARITAL CERTIFICATE
REQUIRED FOR EACH FEMALE APPLICANT FOR A MARRIAGE LICENSE IN MONTANA
See Instructions on Back of this Sheet

This is to certify that _____:
(Full name of applicant)

___ 1. Has submitted to a standard serological test for rubella immunity. The test was performed at:

(Name of laboratory)

(Address of laboratory)

___ 2. Is exempt on medical grounds and is not required to submit to a test for rubella immunity.

Signature of Physician

Address

Physician not licensed in Montana; indicate in which state licensed: _____

This is to certify that we are the applicants to the proposed marriage and we have been informed of the results of the test for rubella immunity.

Signature _____

Signature _____

Clerk of District Court _____ Date Received _____